

**CALIFORNIA BOARD OF OCCUPATIONAL THERAPY**

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State of California  
Department of Consumer Affairs  
Arnold Schwarzenegger, Governor



**CALIFORNIA BOARD OF OCCUPATIONAL THERAPY  
BOARD TELECONFERENCE MEETING MINUTES**

**February 1, 2005**

**Sacramento, Los Angeles, Rancho Mirage**

**Board Members Present**

Luella Grangaard, President

Margaret Cunningham

Hugh Smith

Christine Wietlisbach

**Staff Present**

Gretchen Kjose, Executive Officer

Norine Marks, Legal Counsel

April Freeman, Associate Governmental Program Analyst

**A. Call to Order, Roll Call, Establishment of a Quorum**

Executive Officer Gretchen Kjose called the meeting to order at 10:00 a.m. and called the roll. A quorum of the Board was present.

**B. Introductions**

Board members introduced themselves. Ms. Kjose reported that Jonathan Buttle, Department of Consumer Affairs (DCA) budget analyst, was in attendance to answer any questions the Board might have.

**C. Executive Officer's Report**

Ms. Kjose reported that Board staff had begun working with California State University on a newsletter scheduled for publication in late March. She indicated the Board's logo had been selected as well as a name for the newsletter. She also indicated that a publication containing the Occupational Therapy Practice Act, California Code of Regulations and other pertinent laws would be sent to licensees in late June or early July.

Ms. Kjose advised that DCA Director Charlene Zettel held a meeting for all executive officers in January to update the boards on the Governor's proposal that all boards within DCA be abolished and the programs merged as bureaus under the department. Ms. Zettel stated that DCA was beginning the planning process for carrying out the reorganization should the Governor's proposal take effect. However, she noted that until something definitive was known, boards should continue to operate as usual. Ms. Kjose also stated that the Little Hoover Commission (LHC) held public hearings the week of January 28, 2005 to take testimony on the issue of reorganization and testimony from many professions

and consumer groups was in opposition to the plan. Ms. Kjose advised that the LHC would be preparing a report with its recommendations to be sent to the Legislature in early February for vote. The Legislature has 60 days to act on the proposal. If they fail to act within that timeframe, the Governor's proposal will take effect July 1, 2005.

#### **D. Review and Approval of Proposed Regulations to Amend Title 16, Division 39, California Code of Regulations, Section 4130 – Fees**

Ms. Kjose reported that the Board's fund condition supports a reduction in renewal fees for occupational therapy practitioners. She noted that the Board had voted to reduce renewal fees in December 2003 from \$150 to \$100 annually and delinquent fees from \$75 to \$50 annually. Proposed regulations to implement the changes were published on February 27, 2004. Subsequently, revenues continued to remain high and the Board voted to reduce renewal/delinquent fees further, to \$75/\$37.50 respectively. Modified text was prepared reflecting these changes and the rulemaking file was sent to DCA for review in September 2004.

However, Ms. Kjose said that in the course of its review, DCA's budget office advised that even with the proposed reductions, the Board's fund condition would still exceed the Department of Finance's recommended monthly reserves. At its December 10, 2004 meeting, DCA's budget analyst presented figures that would set renewal/delinquent fees at \$120/\$60 bi-annually beginning in 2005/06. At that meeting, he recommended that renewal/delinquent fees be waived for fiscal year 2005/06 to reduce the fund condition quickly. Following discussion of the logistical problems associated with changing from an annual to bi-annual renewal cycle and the fact that the Board's proposed continuing competency regulations provide for a set number of professional development units to be taken annually, the Board asked staff to continue to work with DCA's budget office to come up with the best renewal fee structure and cycle that would reduce the Board's fund condition to appropriate levels while maintaining sufficient revenues to fully fund its regulatory functions.

Ms. Kjose indicated that the statute calls for an annual renewal and to change to a bi-annual renewal would require legislative change. She presented figures showing that setting renewal fees at \$10 and delinquent fees at \$5 for fiscal year 2005/06, and \$70/\$35 for fiscal year 2006/07 and thereafter would reduce the Board's fund condition dramatically while still allowing sufficient funding for growth in the Board's enforcement program. Ms. Kjose indicated that modified text reflecting these fees had been made available for a 15-day comment period, from January 11, 2005 through January 27, 2005. She noted that no comments had been received.

- ♦ **Luella Grangaard moved to adopt the second proposed modified text setting renewal fees at \$10 and delinquent fees at \$5 for fiscal year 2005/06 and \$70/\$35 for fiscal year 2006/07 and following.**
- ♦ **Christine Wietlisbach seconded the motion.**
- ♦ **The motion carried unanimously.**

#### **E. Public Comment Session**

There were no members of the public in attendance.

#### **F. Adjournment**

The meeting adjourned at 10:25 a.m.